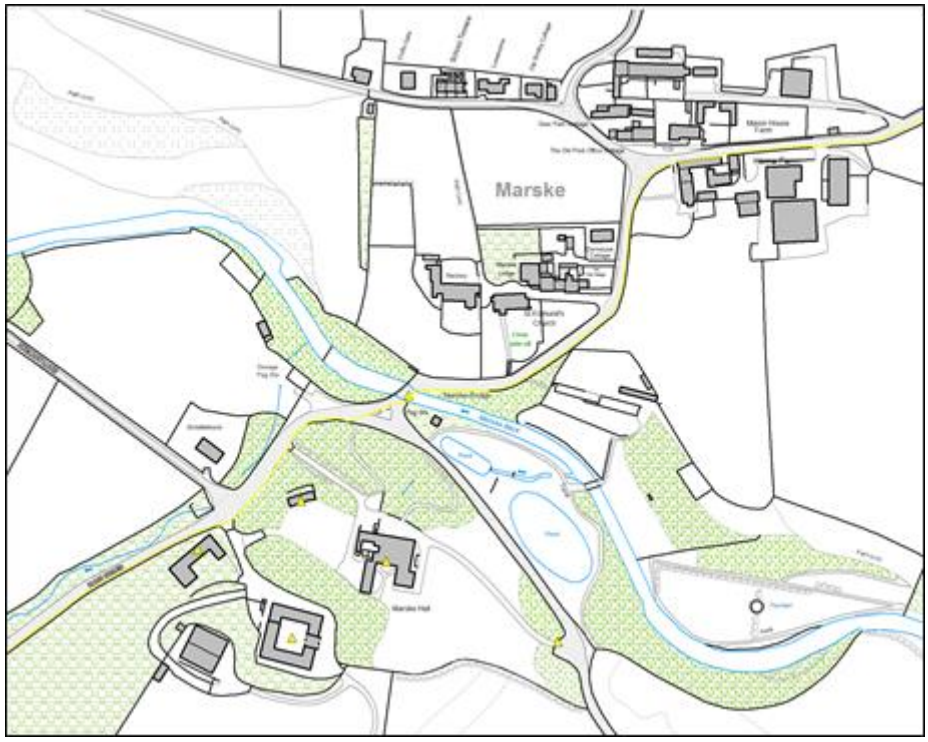
ITEM 2

YORKSHIRE DALES NATIONAL PARK AUTHORITY

Committee:	Planning	**Parish:**	Marske
Date:	9th February 2021	**Officer:**	Michelle Clowes
Applicant:	Mr I Morton	**Application No:**	R/31/22S/LB
Site Address:	Marske Hall and the Sawmill, Marske		
Proposal:	Listed building consent for conversion of Marske Hall from 10 open market apartments to an aparthotel and conversion of basement to associated facilities which include gym, sauna, laundry, retail space, cellar bar and tasting rooms; conversion and extension of the kennels to an events space; conversion of the Sawmill to an events space; construction of outbuilding to house electricity sub-station and provision of car parking areas.		



REASON FOR COMMITTEE CONSIDERATION

1. This application is reported to Committee as in the opinion of the Head of Development Management it is in the best interests of the National Park Authority that the application is considered by the Committee.

APPLICATION SITE

2. Markse Hall is a Grade II* listed former country house with extensive formal landscaped gardens and associated outbuildings including the former Sawmill and Kennel building, both of which are Grade II listed in their own right. The site forms part of the village of Marske and it falls within the boundary of the Yorkshire Dales National Park, although the majority of the village lies in the Richmondshire District Council administrative area. Marske Hall lies adjacent to the village Conservation Area and is on the route of the long - distance Coast to Coast walk.

PROPOSAL

3. Listed building consent is sought for the conversion of Marske Hall from 10 open market apartments to an aparthotel and conversion of basement to associated facilities which include gym, sauna, laundry, retail space, cellar bar and tasting rooms; conversion and extension of the kennels to an events space; conversion of the Sawmill to an events space; construction of outbuilding to house electricity sub-station and provision of car parking areas.

RELEVANT PLANNING HISTORY

4. There are a number of previous decisions that are relevant to the application site;

Marske Hall

R/31/106A/LB - Listed building consent for conversion of sawmill buildings to provide 2 No. three bedroomed, holiday accommodation units with associated parking and landscaping. Withdrawn 2016.

R/31/22K/LB - Listed building consent for addition of first floor extension over garages 6 & 7 to form storage space. Invalid 1995.

R/31/22L - Listed building consent for works to create room above existing double garage. Refused 1995.

R/31/22M - Full planning permission for conversion of outbuilding to form double garage and study/storeroom above. Conditional approval 1996.

R/31/22N - Listed building consent for works including part demolition to effect conversion of out building to form double garage with study/store above. Conditional approval 1996.

R/31/22P - Full planning permission for conversion of Marske Hall from 10 existing open market apartments to 10 open market/holiday lets, plus 10 new holiday lets; conversion of basement to associated facilities; conversion and extension of the kennels to form café;

use of existing garden building as electricity sub-station and conversion of The Sawmill to an events venue. Withdrawn 2020.

R/31/22Q/LB - Listed building consent for conversion of Marske Hall from 10 existing open market apartments to 10 open market/holiday lets, plus 10 new holiday lets; conversion of basement to associated facilities; conversion and extension of the kennels to form café; use of existing garden building as electricity sub-station and conversion of The Sawmill to an events venue. Withdrawn 2020.

R/31/22S/LB - Listed building consent for conversion of Marske Hall from 10 open market apartments to an aparthotel and conversion of basement to associated facilities which include gym, sauna, laundry, retail space, cellar bar and tasting rooms; conversion and extension of the kennels to an events space; conversion of the Sawmill to an events space; construction of outbuilding to house electricity sub-station and provision of car parking areas. Pending consideration.

The Sawmill

R/31/106B - Full planning permission for conversion of sawmill buildings to provide 2 No. 3 bedroomed dwellings or holiday let units with associated parking and landscaping. Approved subject to a S106 agreement 2016.

R/31/106C/LB - Listed building consent for conversion of sawmill buildings to provide 2 No. 3 bedroomed local occupancy dwellings or holiday let units with associated parking and landscaping. Conditional approval 2016.

Marske Stables

Applications not related to the application site but that are of relevance as they relate to Marske Stables, an adjacent building within the applicant's ownership include;

R/31/23F - Full planning permission for conversion of stables to 9 units for either residential or holiday let accommodation and the retention of 1 existing open market dwelling. Approved subject to S106 agreement 2017.

R/31/23G/LB - Listed building consent for conversion of stables to 9 units for either residential or holiday let accommodation and the retention of 1 existing open market dwelling. Conditional approval 2017.

CONSULTATIONS

5. The comments of statutory and non-statutory consultees are summarized below:

Marske & New Forest PM - The Council recognises that long term view of the maintenance of the building must be taken into consideration but any development of Marske Hall must be done in a managed way that has least impact on the village and the surrounding area.

Wildlife Conservation Officer – Objects on the grounds that insufficient information has been provided to demonstrate that the proposals will not detrimentally affect a European Protected Species.

Senior Listed Building Officer – Objects on the lack of information to justify elements of the proposed works to the listed buildings and the impact of the proposed car parking on the setting of the listed buildings and designed landscape.

Historic England - Historic England has concerns regarding the application on heritage grounds. Requires the issues and safeguards outlined in their response to be addressed for the application to meet the requirements of paragraphs 193, 194 and 197 of the NPPF.

Statutory Bodies – No comments received.

Ward Member – No response received.

PUBLIC RESPONSES

6. There have been approximately 40 objections from members of the public in relation to this application. However, all of the issues raised relate to planning and not listed building consent matters. These issues have instead been considered under the counterpart planning application. For clarity, only correspondence that specifically referenced the listed building application number have been counted here.

7. 12 letters have been written in support of the listed building consent application with some referencing the benefits of bringing the buildings back into use.

8. The Yorkshire Gardens Trust agree that the historic buildings will benefit from substantial refurbishment. However, they suggest that the consequent car parking proposal and its harm to the settings of significant listed buildings in their important historic designed landscape is difficult to resolve without the availability of additional land away from the heritage assets.

9. Although the British Horse Society have objected to this application, their concerns relate to planning matters that are not relevant to the determination of this application.

ASSESSMENT

Key Issues:

- Background
- Planning Policy & Law
- Impact on the Significance of the Listed Buildings
- Impact on the Setting of the Listed Buildings
- Impact on Protected Species.

Background

10. Listed Building Consent is sought for alterations to Marske Hall to facilitate its conversion from 10 open market dwellings to 20 self – contained flats/studios that would operate as an aparthotel (serviced accommodation for short – term stays). Ancillary associated works would support the re – use of the basement as housekeeping accommodation, a small sauna and spa area, a cellar bar and wine tasting rooms. Simultaneously, permission is requested for alterations to enable the conversion of the former Sawmill and detached Kennel building (referred to as the doghouse in the application documents) into events venues for 70 and 30 people respectively. A counterpart planning application (R/31/22R) is a separate agenda item.

Planning Policy & Law

11. Objective A6 of the Yorkshire Dales National Park Management Plan (2019 – 2024) seeks to help local people to restore, repair and where possible bring back into use, nationally important historical sites, buildings and structures so that less than 4% of scheduled monuments and listed buildings are considered "at risk" by 2024. The Sawmill has been identified by the Authority as a "listed building at risk" whilst the Kennel building is considered to be vulnerable.

12. Markse Hall, Sawmill and Kennels are protected in the national interest for its special historic or architectural interest. Section 16(2) of the Planning (Listed buildings and conservation areas) Act 1990, requires the Planning Authority to "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" when considering proposals for development.

13. Policy L1 of the adopted Yorkshire Dales Local Plan (2015 - 2030) permits proposals for works to a designated heritage asset, provided they conserve or enhance its significance. Proposals that would result in substantial harm to or total loss of significance of a designated heritage asset or its setting, will only be permitted where it can be clearly demonstrated that the public benefits of the proposal would outweigh the harm or loss, and that the harm or loss is necessary to achieve those benefits.

14. The National Planning Policy Framework (NPPF, 2019) states that, "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)…Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction or from development within its setting) should require clear and convincing justification." Substantial harm or loss to Grade II listed buildings should be exceptional (paragraphs 193 – 194).

Impact on the Significance of the Listed Buildings

Marske Hall

15. As a former country house, Marske Hall has a commanding presence over its designed estate. It was constructed from local rubble stone with ashlar dressings under a traditional stone slate roof. It has 16th and 17th century origins but was extensively remodelled and extended in 1730 and it retains much of its appearance externally from that time in the form of a classically Georgian composition. The Hall was again remodelled internally and converted from a single dwelling to apartments in the mid 20th century through the introduction of partition walls and interventions in the historic fabric.

16. The principle of the conversion of Marske Hall to an 'aparthotel' consisting of 20 new flats/suites is something that could potentially be supported under policy L1 of the adopted Local Plan. However, as with any listed building consent application, the acceptability of the works required to facilitate this use need to be fully justified and demonstrated in detail.

17. The application proposes a survey to identify any defects in external walls, windows, doors, roofs, rainwater goods, drainage and interiors. It is suggested in the text that these works would purely be repair and maintenance. The application includes the following alterations:

    - New external steps into the cellar to the SWW corner

- Installation of new partition walls to form room divisions
- The alteration of the early kitchen cupboard in the basement
- Addition of thermal insulation to the roof
- Installation of services and new bathrooms and kitchens
- Noise separation measures.

18. The proposed steps to the cellar in the SWW corner of the Hall are necessary for access and are in a discreet location with minimal impact on the overall significance of the building.

19. The application is deficient in detail about where the thermal insulation would go i.e. on the ceilings or between the rafters or other roof timbers, the former of which is the preferred treatment. Likewise, no information has been provided about the installation of new services apart from the ventilation grille detail. Although this treatment is acceptable in principle for the rear elevations, information on the specific locations of the grilles should be provided on the elevation drawings ensuring that none are to be inserted on the 2 main elevations. Information on the installation of services such as new heating and associated pipes is necessary.

20. With regard to noise separation measures Historic England is concerned over the change of floor levels and impact on decorative detailing. These works would seem to result in significant concealment of historic surfaces which will have a negative impact on the character and appearance of the Listed Building. The works can also cause damage to historic surfaces. If such works are proposed, they would need to be supported by a detailed survey of existing surfaces and drawings which show all areas affected. The works have the potential to be significantly invasive to the listed building.

The Sawmill

21. The Sawmill is a 19th century U – shaped building of rubble stone, under a stone slate roof that surrounds a small courtyard. The Sawmill has been identified as a listed building "at risk" due to its current dilapidated condition (although this is mostly contained to the roof). Building conservation best practice advocates that the best way to conserve a listed building is to find a use that will help to secure its long – term future and maintenance. However, that use must be compatible with the character and layout of the historic building in order to comply with policy L1 of the adopted Local Plan.

22. It is proposed to repair, reconstruct and convert the former Sawmill into a wedding events venue. Although the external walls are generally in sound condition, the roof has suffered from water ingress leading to a significant deterioration of the internal roof structure. The roof would need to be replaced as part of any conversion works however no details for the proposed new roof construction have been provided. It is therefore difficult to understand and make an assessment of the impact that this particular aspect of works would have on the listed building.

23. It is suggested that the external treatment of windows and doors largely follows the previous approval for the conversion of the building into 2 residential units. However, to facilitate the proposed use it is proposed to remove historic partitions as well as adding partitions elsewhere within the building to form a function room, bar area, kitchen, lounge and toilets. The removal of 2 internal walls would be a significant change and have a substantially negative impact on the listed building. A use which maximises the original layout would be much more appropriate. Even though the creation of an escape exit from the kitchen can be justified, the new door next to the bar is unnecessary. The cumulative impact of these works would cause substantial harm to the significance of the listed building. Furthermore, the

circumstances are not exceptional and are driven by the applicant's desire to use the building as an events venue. It is plausible that the building could be converted to viable alternative uses without requiring the demolition of the internal walls as has been demonstrated through the previous permission to convert the building to 2 residential units.

24. Again, insufficient information has been provided with regard to the internal treatment of the walls, the insertion of new floors, services and thermal insulation.

25. Without an exceptional public interest reason to justify the harm to the listed building, the proposal is considered to be contrary to policy L1 of the adopted Local Plan and paragraphs 194 and 195 of the NPPF.

The Kennel Building

26. The single storey Kennel building also dates from the early 19th century and is constructed of rubble stone with ashlar dressings and a hipped stone slate roof in a neo – classical style of architecture. It has an unusual curved plan form, slightly elevated approximately 40m to the north – west and above the level of the Hall, separated from it by a lawn and set against a backdrop of trees. The building retains a large amount of original fabric and is currently used for low – key storage and as an animal shelter.

27. Consent is sought for works to convert this building to form an events venue. The scheme also proposes the extension of the building through the erection of a single storey rear addition between the rear wall of the building and the adjacent estate wall. This is a large addition stretching nearly the whole length of the building. However, the extension would only be visible from very close range and its modern design would mean that it is easily read as a contemporary addition. The applicant was asked to reduce the structure so that it would be more subordinate in scale and whilst the amended plans show a reduced footprint, this difference is minimal with only a small set back of the extension behind the original building. The western elevation of the new extension would also cut across a large existing opening in the original rear wall of the kennel building, affecting the legibility and historic layout of the original structure. This is unnecessary and the wall could easily be set back further, to fully accommodate the opening, without significantly affecting the internal space of the new extension. As it stands this element of the proposal is considered to be harmful to the significance of the listed building.

28. The proposal for a large terrace to the front elevation of the Kennel building, which would be utilised for outdoor seating, is another negative element. Whilst this may be desirable for users of the building it is not necessary for the events space that this proposal would create. The provision of a formal terrace would confuse the interpretation of the Kennels as a functional ancillary outbuilding and would become cluttered with outdoor furniture including tables, chairs and parasols. Unusually for a kennels, this building was designed to be seen from the Hall and has a more "grand" appearance than would be expected for such a building. The terrace would serve to disrupt this visual link between the two buildings to the detriment of the setting of the listed buildings.

29. Again, insufficient information has been provided with regard to the internal treatment of the walls, the insertion of new floors, services and thermal insulation. The design of the proposed doors requires amendment in order to be appropriate to the character of the building.

30. At present the proposals for the Kennel building are considered harmful to the character of the building and contrary to policy L1 of the adopted Local Plan (2015 – 2030).

Impact on the Setting of Listed Buildings

31. As has been evidenced, the Marske Hall estate is particularly special and potentially unique within the National Park, consisting of several historic buildings ranging in importance from grade II to II* listed buildings. The Hall stands in extensive landscaped grounds, developed from at least the 16th century, with important phases of development in the 18th and 19th centuries illustrating the life, social activity and aspirations of a greater gentry house belonging to the Hutton family. The 18th century landscape interventions are an early example of an intentionally 'picturesque' composition. Further changes in the 19th century included introducing planting with important specimen trees to the north of the Hall, creating ornamental gardens around the beck, constructing new ancillary buildings (the Kennels and Sawmill) and bringing these elements together through sensitive landscaping. Although the park is not formally registered, it is a non-designated heritage asset and makes an important contribution to the setting of the hall.

32. The proposal gives rise for the need for a significant amount of car parking. 75 spaces are provided on the amended plans, however the Highway Authority states that at least 89 are required. Historic England has raised concerns that the proposal adds pressure onto a landscape with very limited capacity to accommodate this amount of car parking without seriously impacting on the significance of the historic assets. The site is extremely constrained due to the situation of the listed buildings, the large mature specimen trees and designed grounds or the natural topography which is steeply sloping in parts. Officers spent a considerable amount of time at the site visit looking at potential alternatives and the Senior Listed Buildings Officer also drafted a sketch plan of where it was thought car parking might be positioned to limit the harm on the setting of the listed buildings. Unfortunately, some of the locations proposed then had implications on the mature trees and specimens that from part of the designed landscape that in itself has historical significance. There is therefore nowhere obvious that car parking can be accommodated discreetly. The proposal tries to disperse the car parking around the site which unfortunately, actually spreads the impact of the proposal across the designed landscape, making it more harmful than if it were located in one discreet area.

33. Historic England and the Senior Listed Buildings Officer are particularly concerned about the proposal for 12 spaces in a v – shape along 2 edges of the rising lawned area between the Hall and the Kennels, along with 3 spaces to the left – hand side of the Kennel building itself. These spaces will have a considerable visual impact on the views between the Kennels and the Hall, introducing a continuous visual barrier which will obstruct the ability to appreciate the Kennel building when approaching the site, as well as the intended designed visual relationship between the Hall and the outbuilding. The presence of parked cars, especially the row closest to the kennel building, would be over - dominant due to its proximity to the building and the rising topography. The plans also show the removal of the rounded curb at the bottom of the lawned area which is a feature shown on all the historic maps and the Senior Listed Buildings Officer objects to its unnecessary removal.

34. It is considered that the amount of car parking provided, which is under the requirements of the Highway Authority, already exceeds what the site can take and in doing so, compromises the significance of the historic assets. Paragraph 193 of the National Planning Policy Framework (NPPF) states that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. Any impact or loss of significance should require clear and convincing justification (paragraph 194). The justification for the car parking is driven solely by the type of use proposed,

particularly the desire for 2 events venues. As there is little opportunity to provide car parking elsewhere within the site and little that can be done to mitigate or reduce the impact of the car parking, it is considered that the proposed use, by virtue of the level of car parking it generates, would result in significant harm to the setting of the listed buildings. Given the lack of justification and the potential for less harmful, alternative uses, the proposal cannot be said to meet the requirements of paragraphs 193 and 194 of the NPPF.

Impact on Protected Species

The Sawmill & Kennel Building

35. The information supplied by the applicants concerning bats comprises a report by Bombus Ecology and a letter from the agent. The report includes a letter/briefing note that details the findings of a 'bat risk assessment' at the Sawmill conducted on 4 September 2019.

36. The buildings are described as "sub-optimal for bats." However, it does not outline any systematic approach that has been followed in assessing whether the building contains any potential roost features. No bat activity survey's or findings have been provided. The Wildlife and Conservation Officer has raised concerns about this and advised that the onus is on the applicant to demonstrate that a European Protected Species would not be adversely affected in re – roofing and converting the Sawmill to an events venue. In this case, this has not been evidenced.

Marske Hall

37. Marske Hall is a large three-storey building divided into accommodation units with roof voids above. The Bombus Ecological report, indicates that there is evidence of Pipistrelle bat droppings throughout the roof voids of the Hall, but the appearance of the droppings and the occurrence of cobwebs throughout most of the voids led to the conclusion that there was no recent roosting by this species inside the voids.

38. The 'annexe' to the main Hall, has separate roof voids. Here evidence was found of roosting bats and the report speculates that these would have been Brown – long eared bats. Whilst the Senior Wildlife & Conservation Officer acknowledges that the species are highly likely to be Brown long – eared bats, the evidence is not as conclusive as it should be. The documents from Rural Solutions and Bombus Ecology (both written by the same author) argue that the exact nature of the roost is immaterial (and does not need to be absolutely established) because the roof void above flat 9 will not be affected by the proposed development. The Wildlife and Conservation Officer is not sufficiently reassured by this, as the flats below the roof void are to be remodelled and therefore disturbance to the roof through for example, the installation of new wiring, could be required. The Ecological report also fails to consider the basement area of the Hall which the Wildlife & Conservation Officer suggests could be a suitable location for providing roosting (including hibernation sites) for bats.

39. Sadly, the information provided on the potential of the buildings to support bats is inconclusive. The Senior Wildlife & Conservation Officer has objected to the proposals on the grounds that the works could be harmful to protected species. It is therefore considered at this stage that the proposed development would not comply with the relevant provisions of policy W1 of the adopted Local Plan.

Parish Council Comments

40. The Council recognises that long term view of the maintenance of the building must be taken into consideration but any development of Marske Hall must be done in a managed way that has least impact on the village and the surrounding area. They have not raised any specific concerns with regard to the impact of the works on the listed buildings.

CONCLUSION

41. Although the applicant suggests that they have a track record in converting historic buildings to new uses, the proposals are not sufficiently justified or backed up with detail to give the Authority certainty that they would not harm the character and appearance of the listed buildings. Some specific elements of work including the removal of walls in the Sawmill and installation of noise insulation in Marske Hall are considered to be intrinsically harmful to the building. The matters could be overcome through the provision of more detailed, specific information.

42. The proposed use generates the need for a significant number of car parking spaces that the designed landscape around the Markse Hall Estate does not have capacity to accommodate without impacting negatively on the setting of the listed buildings. Unfortunately, this issue is not likely to be overcome without changing the proposed use of some of the buildings. For these reasons the proposed development is considered to be contrary to policies L1 and W1 of the adopted Yorkshire Dales Local Plan (2015 – 2030) and paragraphs 193 and 194 of the National Planning Policy Framework (2019).

RECOMMENDATION

43. It is recommended that permission be REFUSED for reasons based on the following:

    1. In the opinion of the Local Planning Authority the provision of car parking on the edge of the raised lawn between Marske Hall and the Kennel building, along with the provision of an extensive terraced area outside the front elevation of the Kennels would cumulatively result in significant harm to the setting of both listed buildings through the erosion and cluttering of the historic visual link between the two buildings and loss of uninterrupted lawn that remains undeveloped. The proposal would be contrary to policy L1 of the adopted Yorkshire Dales Local Plan (2015 – 2030) and paragraphs 193 and 194 of the National Planning Policy Framework (2019).

    2. In the opinion of the Local Planning Authority insufficient information has been provided to determine the impact of the proposed works on the significance of the listed buildings namely the works to the Sawmill roof, the insulation of roofs, the surface treatment of historic walls, the installation of service and floor construction. Without this detail the features and fabric of historical and architectural interest cannot be safeguarded. The proposed works are contrary to policy L1 of the adopted Yorkshire Dales Local Plan (2015 – 2030).

    3. In the opinion of the Local Planning Authority the removal of original internal walls within the Grade II listed Sawmill would result in the removal of historic fabric without justification. The complete removal of walls would affect the way the original layout of the Sawmill is understood and read resulting in substantial harm to the architectural and historical features of the heritage asset. The proposed works are contrary to policy L1 of the adopted Yorkshire Dales Local Plan (2015 – 2030) and paragraph 194 of the National Planning Policy Framework (2019).

4. In the opinion of the Local Planning Authority, the proposed extension to the Kennel building by virtue of the western elevation cutting across an existing historical doorway would cover over and diminish the readability of a historic and architectural feature that contributes to the understanding the buildings layout and former use. The proposed extension would cause substantial harm that is not sufficiently justified and the proposal is considered to be contrary to policy L1 of the adopted Yorkshire Dales Local Plan (2015 – 2030) and paragraph 194 of the National Planning Policy Framework (2019).